

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DANIEL MOODY,

Plaintiff,

Case No. 15-11922

v.

Hon. John Corbett O'Meara

MICHIGAN GAMING CONTROL
BOARD, *et al.*,

Defendants.

**ORDER DENYING PLAINTIFF'S
MOTION FOR RECONSIDERATION**

Before the court is Plaintiff's motion for reconsideration, filed December 17, 2015. Plaintiff seeks reconsideration of this court's December 8, 2015 order granting Defendants' motion to dismiss. The standard for granting a motion for reconsideration is as follows:

Generally, and without restricting the court's discretion, the court will not grant motions for rehearing or reconsideration which merely present the same issues ruled upon by the court, either expressly or by reasonable implication. The movant shall not only demonstrate a palpable defect by which the court and the parties have been misled but also show that correcting the defect will result in a different disposition of the case.

LR 7.1(h)(3). A motion for reconsideration "is not properly used as a vehicle to re-

hash old arguments or to advance positions that could have been argued earlier but were not.” Smith v. Mount Pleasant Schools, 298 F. Supp.2d 636, 637 (E.D. Mich. 2003) (citing Sault Ste. Marie Tribe of Chippewa Indians v. Engler, 146 F.3d 357, 374 (6th Cir. 1998)).

Having filed a motion that reiterates arguments already considered by the court, Plaintiff has not demonstrated a “palpable defect” by which the court and parties have been misled.

IT IS HEREBY ORDERED that Plaintiff’s motion for reconsideration is DENIED.

s/John Corbett O’Meara
United States District Judge

Date: January 6, 2016

I hereby certify that a copy of the foregoing document was served upon counsel of record on this date, January 6, 2016, using the ECF system.

s/William Barkholz
Case Manager